# Stock security aff

#### I affirm that a just government ought to prioritize civil liberties over national security. Before the round, I would like to offer the following observations:

#### Observation 1: Civil liberties are defined by Merriam-Webster as ‘freedom from arbitrary governmental interference’ and national security is defined by US Legal as ‘the protection of a nation from attack or other danger.’

#### Observation 2: This debate is about which ideal ought to come first when two ideals conflict as a general principle through a debate of reciprocal constraints. There are 2 implications to this:

#### That is not to mean that affirming entails a hyper-libertarian state where the government refrains from doing anything. Rather, it means that if I prove that the government’s primary obligation is to prioritize civil liberties even if there may be some instances where security comes first, or if there are negative consequences to prioritizing national security - you can vote affirmative.

#### The negative must defend the converse of the resolution – i.e. that national security ought to be prioritized over civil liberties. The resolution asks us to evaluate 2 ideals when they conflict, so it is not logically be possible to claim that the two should be valued equally.

#### Achieving justice requires not only resolving material inequality, but also restoring recognition to marginalized groups

Fraser and Honneth 03 (Fraser, Nancy, and Axel Honneth. *Redistribution or recognition?: a political-philosophical exchange*. Verso, 2003, pp. 70-72 //Accessed 6/14/17 GK)

To help clarify this situation and the political prospects it presents, I propose to distinguish two broadly conceived, analytically distinct understandings of injustice. The first is socioeconomic injustice, which is rooted in the political-economic structure of society. Examples include exploitation (having the fruits of one’s labour appropriated for the benefit of others); economic marginalization (being confined to undesirable or poorly paid work or being denied access to income-generating labour altogether); and deprivation (being denied an adequate material standard of living). Egalitarian theorists have long sought to conceptualize the nature of these socioeconomic injustices. Their accounts include Marx’s theory of capitalist exploitation, John Rawls’s account of justice as fairness in the distribution of ‘primary goods’, Amartya Sen’s view that justice requires ensuring that people have equal ‘capabilities to function’, and Ronald Dworkin’s view that it requires ‘equality of resources’.3 For my purposes here, however, we need not commit ourselves to any one particular theoretical account. We need only subscribe to a rough and general understanding of socioeconomic injustice informed by a commitment to egalitarianism. The second kind of injustice is cultural or symbolic. It is rooted in social patterns of representation, interpretation, and communication. Examples include cultural domination (being subjected to patterns of interpretation and communication that are associated with another culture and are alien and/or hostile to one’s own); nonrecognition (being rendered invisible via the authoritative representational, communicative, and interpretative practices of one’s culture); and disrespect (being routinely maligned or disparaged in stereotypic public cultural representations and/or in everyday life interactions). Some political theorists have recently sought to conceptualize the nature of these cultural or symbolic injustices. Charles Taylor, for example, has drawn on Hegelian notions to argue that: Nonrecognition or misrecognition... can be a form of oppression, imprisoning someone in a false, distorted, reduced mode of being. Beyond simple lack of respect, it can inflict a grievous wound, saddling people with crippling self-hatred. Due recognition is not just a courtesy but a vital human need.4 Likewise, Axel Honneth has argued that: we owe our integrity . . . to the receipt of approval or recognition from other persons. [Negative concepts such as ‘insult’ or ‘degradation’] are related to forms of disrespect, to the denial of recognition. [They] are used to characterize a form of behaviour that does not represent an injustice solely because it constrains the subjects in their freedom for action or does them harm. Rather, such behaviour is injurious because it impairs these persons in their positive understanding of self—an understanding acquired by intersubjective means.5 Similar conceptions inform the work of many other critical theorists who do not use the term ‘recognition.’6 Once again, however, it is not necessary here to settle on a particular theoretical account. We need only subscribe to a general and rough understanding of cultural injustice, as distinct from socioeconomic injustice. Despite the differences between them, both socioeconomic injustice and cultural injustice are pervasive in contemporary societies. Both are rooted in processes and practices that systematically disadvantage some groups of people vis-à-vis others. Both, consequently, should be remedied.7

#### Evaluating justice, both normatively and in this debate round, requires a framework of material disparities. We must engage in real world discussions but those discussions mean nothing unless they change the values to the people they affect

Curry 14 Dr. Tommy J. Curry 1 The Cost of a Thing: A Kingian Reformulation of a Living Wage Argument in the 21st Century. 2014

Despite the pronouncement of debate as an activity and intellectual exercise pointing to the real world consequences of dialogue, thinking, and (personal) politics when addressing issues of racism, sexism, economic disparity, global conflicts, and death, many of the discussions concerning these ongoing challenges to humanity are fixed to a paradigm which sees the adjudication of material disparities and sociological realities as the conquest of one ideal theory over the other. In “Ideal Theory as Ideology,” Charles Mills outlines the problem contemporary theoretical-performance styles in policy debate and value-weighing in Lincoln-Douglass are confronted with in their attempts to get at the concrete problems in our societies. At the outset, Mills concedes that “ideal theory applies to moral theory as a whole (at least to normative ethics as against metaethics); [s]ince ethics deals by definition with normative/prescriptive/evaluative issues, [it is set] against factual/descriptive issues.” [i] At the most general level, the conceptual chasm between what emerges as*actual*problems in the world (e.g.: racism, sexism, poverty, disease, etc.) and how we frame such problems *theoretically*—the assumptions and shared ideologies we depend upon for our problems to be heard and accepted as a worthy “problem” by an audience—is the most obvious call for an anti-ethical paradigm, since such a paradigm insists on the actual as the basis of what can be considered normatively. Mills, however, describes this chasm as a problem of an ideal-as-descriptive model which argues that for any actual-empirical-observable social phenomenon (P), an ideal of (P) is necessarily a representation of that phenomenon. In the idealization of a social phenomenon (P), one “necessarily has to abstract away from certain features” of (P) that is observed before abstraction occurs. This gap between what is *actual*(in the world), and what is represented by theories and politics of debaters proposed in rounds threatens any real discussions about the concrete nature of oppression and the racist economic structures which necessitate tangible policies and reorienting changes in our value orientations. As Mills states: “What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual,”[i] so what we are seeking to resolve on the basis of “thought” is in fact incomplete, incorrect, or ultimately irrelevant to the actual problems which our “theories” seek to address. Our attempts to situate social disparity cannot simply appeal to the ontologization of social phenomenon—meaning we cannot suggest that the various complexities of social problems (which are constantly emerging and undisclosed beyond the effects we observe) are totalizable by any one set of theories within an ideological frame be it our most cherished notions of Afro-pessimism, feminism, Marxism, or the like. At best, theoretical endorsements make us aware of sets of actions to address ever developing problems in our empirical world, but even this awareness does not command us to*only*do X, but rather do X and the other ideas which compliment the material conditions addressed by the action X. As a whole, debate (policy and LD) neglects the need to do X in order to remedy our cast-away-ness among our ideological tendencies and politics. How then do we pull ourselves from this seeming ir-recoverability of thought in general and in our endorsement of socially actualizable values like that of the living wage? It is my position that Dr. Martin Luther King Jr.’s thinking about the need for a living wage was a unique, and remains an underappreciated, resource in our attempts to impose value reorientation (be it through critique or normative gestures) upon the actual world. In other words, King aims to reformulate the values which deny the legitimacy of the living wage, and those values predicated on the flawed views of the worker, Blacks, and the colonized (dignity, justice, fairness, rights, etc.) used to currently justify the living wages in under our contemporary moral parameters.

#### Thus the value for todays round is justice

#### This requires attention to structural violence - Pure utilitarian consequentialism can’t be applied to scenario planning acceptance of violence is morally untenable independent of the validity of their predictions

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Tolstoj’s main objection to consequentialism is that **the future is** too unpredictable **to serve as the ground of moral judgments**; **one simply** cannot know in advance **what all the results of an action will be**. In The Law of Violence he heaps scorn on the idea that it is possible to foresee the future, calling it a ‘‘very crude’’ and ‘‘horrible’’ superstition (Tolstoj (1928) PSS 37: 203, 208). It may seem that you know the future because you have the power to control it by your action; but this is illusory, because **at best you control your immediate action, not everything expected or unexpected that results from it**. ‘‘**What an** immense amount of evil,’’ Tolstoj writes in The Kingdom of God Is Within You, ‘‘**flows from people’s assuming the right to anticipate’’ what will happen** (Tolstoj (1928) PSS 28: 29). Tolstoj’s reasoning here brings to mind a notorious essay by Kant entitled ‘‘On the Supposed Right to Tell Lies from Benevolent Motives.’’ Convinced that lying is wrong under any circumstances, Kant takes up a proposed counterexample. A murderous man comes to my door asking whether his intended victim is inside; in fact he is inside, but may I not lie to the villain so as to send him away? **No**, says Kant, for the consequentialist thinking I would be relying on **is** fraught with uncertainty: the victim, hearing his pursuer at the door, might have fled through another door, only to be spotted and killed by the pursuer I have turned away (Kant 1909, 362–363). This idea of the indeterminacy of the future **is central to the rejection of utilitarianism in ethics** by both Kant and Tolstoj, and Tolstoj makes the point as effectively as any ethical thinker. In the letter to Crosby, where Tolstoj’s favorite variant of the classic counterexample has an evildoer about to kill an innocent and defenseless child, he points out that in such a case there are actually two future courses of events that must be forecast, and then weighed against each other, if you wish to justify deadly force by its results. You must calculate what would happen in this situation if you do use deadly force and what would happen if you do not use it, taking into consideration both what would become of the child you might save (the child could, after all, grow up to be a serial killer) and what would become of the villain you might spare (he could turn into a great benefactor of humanity) (Tolstoj (1928), PSS 69:19). Even most utilitarians now concede that, in the realm of experimental actions involving human subjects (experiments in psychology and medicine, for example), **the morality of the actions** cannot **be judged by their predictable consequences**, for if their consequences were predictable with assurance **they would not be experimental**.3 Tolstoj is arguing in effect that all human actions are experimental. A likely retort to Tolstoj is that **some actions are less experimental than others**, so that their results can be predicted with reasonable confidence. Isn’t he ignoring degrees of probability? His point, however, is that no degree of future likelihood **is sufficient to cancel the** present **and** certain **violation** of the law of love that occurs whenever violence is used. **The** present**,** certain **evil** always **trumps the more or less cloudy future good**. The only weakening of Tolstoj’s maximalist position that I have found in this connection comes, somewhat strangely, in regard to using force on a young child to protect it from imminent harm. ‘‘I cannot,’’ he wrote in What I Believe in the early 1880s, ‘‘use force of any sort against any person whatever, with the exception of a child [rebe¨nok], and then only to save it from an evil immediately threatening it’’(Tolstoj (1928) PSS 23. 460); presumably he is thinking of something like snatching a child from the edge of a cliff. Note the emphasis on ‘immediately’, as if the future reference in such a case were so slight as to be negligible. But the future is the future, however imminent; force is allowed here only because of its presumably good results. Tolstoj’s principles should rule out this odd exception as well, and he never mentioned it again.

#### Since our limited perception prevents us from making objective moral claims, the only way to generate should statements is to include as many perspectives as possible.

Hudgens 07 Jennifer L. Hudgens “Perspectives on Perspectivism: Nietzsche and His Commentators” Georgia State University Philosophy Theses Department of Philosophy 8-3-2007

Again, the definition I offered for omniperspectival knowledge was as follows: Striving for ‘omniperspectival knowledge’ is what Nietzsche considers to be the only logically possible way we could even [to] approach the inconceivable nonperspectival position. The omniperspective, as the name implies, would include the information available from all perspectives; thus it can serve as a goal for those who seek objectivity, in that it is the closest thing to the God’s eye view (the nonperspective) that we are actually capable of conceiving. For comparison, let me quote Leiter’s plurality claim: “The more perspectives we enjoy – for example, the more interests we employ in knowing the object – the better our conception of what the object is like to be” (Leiter, p. 345). I believe Leiter may go a step too far in asserting that our conception of this 33 object will be “better” to Nietzsche, for Nietzsche says only that our objectivity or conception of this object will be “more complete” (GM III:12). However, Given that I claim only that trying to reach the omniperspective can serve as a goal, Leiter’s [the] plurality claim is subsumable under the omniperspectivity claim as part of the spectrum of truth: it is possible that the omniperspective is the best goal, and there are other possibilities also.

#### Thus the criterion is maximizing expected well being

## Contention 1: Discrimination

#### Prioritizing national security means emphasizing security and safety efforts over individual rights & freedoms by principle. Empirically, human rights suffer under the camouflage of National Security

Turner 15 HUMAN RIGHTS SUFFER UNDER CAMOUFLAGE OF NATIONAL SECURITY Eric V. Turner, Esq. Director of Public Education Connecticut Freedom of Information Commission 2015 issue <http://www.state.ct.us/foi/Articles/human_rights_suffer_under.htm>

**It’s time for our government and the American people to calm down and look closely at what costs are being imposed in the zest to combat terrorism**. In the wake of September 11th, and the subsequent anthrax threat, it was only natural to expect that we would want heightened security measures to ensure national and personal security. Unfortunately, however, some of our leaders appear willing – and perhaps even eager – to sacrifice fundamental human rights in the name of security, gambling that the current “state of emergency” mentality will shield them from public rebuke. When I refer to fundamental human rights, I mean those rights generally recognized internationally that prohibit unreasonable governmental intrusion into people’s lives and activities and that permit the kind of transparency and freedom that allows the public to observe government records and processes to determine whether there is wrongdoing or corruption and to criticize government as they see fit. Some examples of our government trampling on human rights in the name of national security include: · Racial and ethnic profiling. Military tribunals for suspected terrorists and their collaborators. Secret arrests. Detentions without probable cause. Monitoring conversations between lawyers and their incarcerated clients. Refusing to make available public records. These actions evidence a government way out of control. These are not merely temporary inconveniences based on the need to ensure public safety. Rather they are serious breaches of human rights. In effect, if we continue down this road we are no better than those who support the repressive regimes we profess to abhor. Furthermore, it’s doubtful that such governmental tactics will reduce or eliminate terrorism. If anything, it will merely make terrorists shift tactics or perhaps targets. What it well may result in, however, is an increase in violence in the United States itself. One of the primary objectives of terrorism is to provoke the ruling elites of a target regime into overreaction. When it works, the results can be disastrous; this benefits the terrorists. We have certainly witnessed the violence and destruction in communities in which the police are perceived to use unnecessary force against citizens. When a group of people feel threatened or frustrated, they are certainly more likely to react violently to the oppressive behavior and blame the government for their situation. Our current patriotic fervor is also being used by some of our leaders to suppress dissent or even reasoned dialog. The right to criticize one’s government is a fundamental human right that no one should be required to forego, or be intimidated into foregoing. It’s simply reprehensible that some government officials have stated that such criticism should be viewed as aiding and abetting the enemy. To the contrary, no one should feel duty-bound to support the overreactions of our government in the name of some questionable “greater good.” History has shown that once human rights are lost, they’re difficult, if not impossible, to restore. While it’s certainly the duty of government to protect our country and defend its citizens, this must be accomplished without violating fundamental human rights. Indeed, if these rights are marginalized or lost, then the terrorists have clearly had their way. In the most profound way, we would no longer be the same country because we would no longer have the same essential values – or be true to them. We must therefore see through the cloak of national security and speak and work against the dismantling of human rights whenever and wherever encountered.

#### Two scenarios prove

#### Islamophobia

#### Security measures are not value-neutral – they are often justified in the name of preserving the majority in sacrifice of the minority’s civil liberties

Chandler (Jennifer Chandler, “Privacy Versus National Security: Clarifying the Trade-off,” 2009)

Another of the reasons why security may trump privacy in the context of counterterrorism is that the security improvement is sometimes bought at the expense of a minority. To the extent that this is true, the majority will either fail to perceive the costs of that security or they will not care sufficiently. As will be discussed further below, [For instance,] the “war on terror” exposes Muslims and those of Arab ethnicity to increased risks of being falsely suspected of terrorism and mistreated.38 To the extent that we obtain objective or subjective security at the expense of a minority, there is distributive injustice. However, the distributive implications of counterterrorism measures are not so clear. One must consider both is at greater risk because of counterterrorism measures, as well as who is at greatest risk of harm from terrorism if an effective counterterrorism measure is not who adopted. The groups most at risk from a terrorist attack vary according to the type and location of the attack.

#### Prioritizing national security emphasizes discriminatory representations of terrorism which are inherently violent and Islamophobic

Alghamdi 15 (Emad A. Alghamdi, English Language Institute, King Abdulaziz University, “The Representation of Islam in Western Media: The Coverage of Norway Terrorist Attacks”, May 1st, 2015, International Journal of Applied Linguistics & English Literature, <http://www.researchgate.net/publication/259481741_The_Representation_of_Islam_in_Western_Media_The_Coverage_of_Norway_Terrorist_Attacks>,)

While myriad sources of information contribute to the discordant image of Islam and Muslims in western public perceptions, many scholars argue the media are the most influential (Kanso & Nelson, 2010). The negative representation of and the dissemination of propaganda against Islam and Muslims in mainstream western media is not a new phenomenon. Studies in media or political discourse have revealed that the portrayals of Islam and Muslims in western media tends to emphasize stereotypes and discriminatory rhetoric, casting, as such, an unfavorable light on Muslims and Islam. The depiction of Islam and Muslims as a negative ‘Other’ for western societies and the general illformed and uninformed conceptions of Islam and Muslim are strongly attributed to the western media representations of Islam within two frames; “in clash with the west and associated with terrorism/extremism or violence” (Eid, 2014, p. 104). Language has always been a key factor in forming, constructing and later revealing the ill-formed perceptions of Islam and Muslims in westerners’ minds. Reath (1998) asserted that language is a pivotal means in which "attitudes towards groups can be constructed, maintained or challenged" (p.54). Through a manipulative use of language and word choices, Muslims in western media have been irrationally portrayed as social deviants, irrational, backward, uncivilized, and as posing security threats to western societies. As part of the discourse on security and terrorism, “the association of Islam with terrorism and violence has come to be accepted, to the extent that terms such as “Muslim” and “terrorist” have become almost synonymous” (Eid & Karim, 2014, p.105). Explicit and implicit allegations of Muslims as being accountable for any terrorist attacks occurring in the world have been vividly pronounced in media discourse post 9/11. According to Poorebrahim and Zarei (2012) “the image of Muslims as social deviants and security threats is being regenerated against the backdrop of the ' war on terror'. Heightened security concerns have made the Muslims community an easy target for an extraordinary level of media scrutiny” (conclusion, para.1). Due to this propaganda, many Islamic countries, especially Middle Eastern countries, have encountered considerable pressure for making new reforms and changes in their political and educational systems. Saudi Arabia, of instance, has faced considerable international and local pressures for change in recent years (Elyas & Picard, 2010). Because of the fear from producing more Islamic fundamentalists, and the fear of losing its strong connection with the White House, the Kingdom of Saudi Arabia has begun its first initial stage of introducing English and its culture to the primary schools (not previously taught at that stage) (Elyas, 2008). 5. Conclusion In the aftermath of the terrorist attacks in Norway, some western media institutions made news coverage reports and published news articles in which Islam and Muslims were allegedly held accountable for the attacks. Using media discourse analysis, the present study linguistically analyzed a video report and a collection of biased news articles towards Islam and Muslims. The analyses revealed that these western media institutions used word choices, implicature, and modal expressions to hold Muslims accountable for the attacks. However, the tone of allegation varied dramatically from one article to another ranging from a mere suspicion to an overt accusation. The varying degrees of uncertainty or assertion of the authors’ statements were reflected in the varied linguistic forms and devices used within the discourse.

#### Border Patrol

#### An attempt to secure the border is the epitome of national security making ICE a pivotal actor. The desire to control the border through programs like ICE is the epitome of institutionalized racism, prioritizing national security prioritizes this agenda

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The construction of the U.S. immigration policy and enforcement regime has resulted in a framework that victimizes Latin and Asian immigrants. These immigrants of color end up being the subject of ICE raids. They are the ones who comprise the immigration visa backlogs. They are the ones that attempt to traverse the hostile southwest border. Their victimization has been institutionalized. Any complaint about immigrants, fiscal or social, can be voiced in non-racial, rule-of-law terms because the institution has masked the racialization with laws and operations that are couched in nonracial terms. Anti-immigrant pundits are shielded from charges of racism by labeling their targets “law breakers” or “unassimilable.” Deportation, detention, and exclusion at the border can be declared race-neutral by the DHS because the system has already been molded by decades of racialized refinement. Officials are simply “enforcing the laws.” Like white privilege, institutionalized racism generally goes unrecognized by those who are not negatively impacted.146We should know better. The cards are stacked against immigrants of color. The immigration law and enforcement traps are set through a militarized border and an anachronistic visa system. It is no surprise that Latin and Asian immigrants are the victims of those traps. They have been set up by the vestiges of blatantly racist Asian exclusion laws, a border history of labor recruitment like the Bracero Program, Supreme Court deference to enforcement, and border militarization that laid the groundwork for current laws and enforcement policies. Many in the immigrant rights movement argue that the appalling effects of ICE raids, deaths at the border that result from its militarization, horrible backlogs in family immigration categories, immigration detention conditions, and the lack of second chance opportunities for longtime, lawful permanent residents convicted of aggravated felonies are sufficient bases for overhauling immigration laws and enforcement policies. If we are indeed a nation of immigrants, fairness, and family values, then without a doubt, we need a fairer border policy and more open immigration. Other critics of the Bush ICE raids focus on employers or process as the solution. One standard demand that has been made by Beltway experts is to focus more on employers rather than on employees when it comes to enforcement. Another tactic is that advanced by Senator John Kerry who asked that ICE raids be conducted in a more humane manner. I am not sure that these positions will get us much satisfaction. Senator Kerry’s proposal would essentially result in kinder, gentler raids, but raids nonetheless. And the focus-on-employer enforcement position still results in the removal of undocumented workers. For example, while Homeland Security Secretary Janet Napolitano has directed federal agents to focus more on arresting and prosecuting employers than undocumented workers, she also made it clear that there will be no halt to arrests of undocumented workers the investigations uncover.147 As long as we remain mired in the belief that we need to prevent undocumented workers from working in the country through an employer sanctions system, workers will continue to get deported, families will be separated, and communities will suffer damage. The seemingly neutral logic that flows from an institutionally racist immigration system need not carry the day. We should not be left to object to ICE raids, border enforcement, and even criminal alien enforcement solely on non-racial terms. Understanding these operations from an institutionalized racial perspective provides another basis for arguing that our system of immigration laws and enforcement policies must be overhauled in order to address the menacing vestiges of racism within that system.

#### Border surveillance and the

Walsh 10 (James P., Professor of Management and Organizations at University of Michigan, "From Border Control to Border Care: The Political and Ethical Potential of Surveillance," Surveillance and Society Vol 8 No. 2, http://library.queensu.ca/ojs/index.php/surveillance-and-society/article/view/3481/3435)

Under such conditions migrants encounter a highly stratified ‘mobility regime’ (Shamir 2005) where all travellers are identified, sorted, and classified as desirable or undesirable, safe or risky, and, thus, admissible or inadmissible. Consequently, access to the territories and societies of rich nations has emerged as a significant determinant of life -chances and a primary axis of global inequality (Bauman 1998).1 For tourists, professionals and other affluent transients, borders are generally experienced as conduits or zones of transit where surveillance is ‘thin’, momentary and superficial (Torpey 2007). For undocumented workers, sanspapiers and other ‘undesirables’, borders are sites of intensive scrutiny, closure and trauma where surveillance is ‘thick’ (Torpey 2007) and functions as a ‘banopticon’ (Bigo 2002) oriented towards exclusion rather than correction or discipline. Through regimes of surveillance and classification, states do not merely control movements but also enact rituals of ‘purification and prophylaxis’ (Douglas 1966; cf. Salter 2007) that construct and codify moral distinctions between those worthy and unworthy of membership. Here those marked as undeserving and undesirable are constituted as ‘anti-citizens’ whose presence is deemed hazardous and whose sociopolitical existence is rendered invisible and unauthorized (Inda 2006). Thus, more than just administrative techniques, border patrols, workplace raids, and related forms of surveillance provide normative performances that call into existence the very categories and divisions (legal/illegal, alien/citizen) they purport to represent and enforce.

## Contention 2 is power overreach

#### Civil liberties are essential to providing a democratic check against government authoritarianism – prioritizing national security creates a unchecked plague of curtailing freedoms.

Cortright 15 (David Cortright, American scholar and peace activist, Director of Policy Studies at the Kroc Institute for International Peace Studies at the University of Notre Dame, Chair of the Board of the Fourth Freedom Forum, “Could New Laws to Fight Terrorism Actually Help Fuel It?” March 31st 2015, <https://theglobalobservatory.org/2015/03/terrorism-financing-civil-liberties/>, The Global Observatory)

Counterterrorism measures in each country vary, but collectively the new laws reinforce existing provisions that increase the power of police officials to investigate, detain, and arrest suspects; reduce the due process rights of suspects and limit judicial review; restrict financial transactions and remittances to individuals and entities abroad, especially in Muslim-majority countries; require Internet companies to provide personal communication information to state officials; and increase government authority to control Internet content. In Canada experts have warned that the new laws could have a significant limiting effect on freedom of speech and ultimately curtail the ability to engage in conversations with people in affected communities about the political, social, and religious issues that drive people toward extremist ideologies. In France, counterterrorism measures adopted in recent years have led to increased arrests for vaguely defined “terrorism association” offenses, with many of those affected subjected to harsh questioning and extended pre-trial detention. A Human Rights Watch report warns that such measures risk alienating entire communities. They could feed resentment and erode public trust in law enforcement and security forces among the very communities whose cooperation is needed in the fight against terrorism. The new measures continue and intensify a pattern of expanding counterterrorism legislative and legal authority that has spread throughout the world over the past 14 years. From the adoption of the USA Patriot Act in the weeks immediately following the September 2001 attacks, governments have sought protections against terrorism through greater police powers and tighter security restrictions. This is part of a larger trend observed by non-governmental monitoring organization Freedom House, which has reported a significant erosion of global political freedom over the past decade. In its 2015 annual survey, Freedom House stated that the condition of global political rights and civil liberties had showed an overall decline for the ninth consecutive year. It described developments in 2014 as “exceptionally grim,” with nearly twice as many countries showing declines in freedoms compared to those experiencing gains. A number of countries lost ground due to increases in state surveillance, restrictions on Internet communications, and curbs on personal autonomy. The most notable reversals were in the areas of freedom of expression, civil society, and the rule of law. According to the organization, the past nine years have witnessed the longest continuous period of decline for global freedom in its nearly 50-year history of publishing annual ratings. Freedom House does not attribute the observed decline in freedom directly to counterterrorist legislation, but the effect of such laws is typically to reduce rather than expand personal freedoms. Measures are weighted toward increasing the authority of security forces and the executive branch of government, usually at the expense of judicial independence [and] legislative oversight, personal privacy, and the rights of civil society. Given all the attention to counterterrorism policy, one might expect government officials to demand a strict accounting of the measures they are adopting. But, despite the vast global effort, governments have commissioned very few studies to assess the effectiveness of counterterrorism legislation, which contrasts with the evidence-based evaluation that has become the norm in development funding and other areas of public policy. This official void has, however, been filled by third party analysis from human rights-focused groups, which have largely established a pattern of limited utility and counter-productivity.

#### Right abuses and power overreach will continue – there is an infinite list of new threats that the government could justify as being dangerous to the public while rarely being effective (*could be used to trigger presumption – if there is never a time when national security priority means we switch to civil liberties second bc the threats are always growing then you presume aff)*

Wolchover 11 (Natalie Wolchover, “Are We Safer Today than on 9/11?” September 6th 2011, <http://www.livescience.com/15918-safety-911.html>, LiveScience)

Mixed track record Do these extensive counterterrorism and intelligence efforts work? Sometimes. Law enforcement officials have prevented dozens of attempted terrorist attacks in the past decade. In 2006, for example, the FBI arrested eight al-Qaida loyalists who were planning to bomb New York City subway tunnels. Federal agents discovered the plot while conducting online surveillance of chat rooms. Then in 2007, a 16-month FBI operation led to the arrest of six "radical Islamists" (as described by federal authorities) who were planning to attack and kill soldiers at Fort Dix, a U.S. Army base in New Jersey, using assault rifles and grenades. [The 8 Most Wanted Al-Qaida Terrorists] The countermeasures sometimes fail, though. In 2009: Army psychologist Nidal Hasan, an American-born man of Palestinian descent, fatally shot 13 soldiers and wounded 29 others at Fort Hood, a base in Texas. He waged the attack after exchanging emails with an al-Qaida-associated cleric based in Yemen, and had been radicalizing in his anti-American views over several years. Many critics, and a formal Pentagon review, later found that the attack could have been prevented by better handling of intelligence. Banks believes that counterterrorism agencies have successfully stifled the major violent threats of the past decade, but that they aren't doing enough to assess the [there are] new and evolving threats that are arising worldwide. "Cyberthreats loom larger now, [including] malware and worms," he explained. "They can impact domestic infrastructure and do considerable harm, as much or more than conventional attacks." Anti-Americanism Other new threats may have been borne out of the government's own policies, some of which allow for immediate action against potential terrorists at the expense of civil liberties. Lee Gelernt, an attorney with the American Civil Liberties Union and deputy director of its Immigrant Rights Project, said that these policies may be detrimental to national security in the long-term by magnifying anti-American sentiments. "There have been massive civil liberties violations over the past decade from the government's post 9/11 policies," Gelernt wrote in an email. Soon after 9/11, for example, the Bush administration employed legal loopholes (which were later determined to be unconstitutional) to detain terrorism suspects for indefinite periods of time without charging them. "But it is far from clear that these policies have substantially increased our safety." He continued: "Collaboration with key immigrant communities is crucial to our national security but unfortunately that collaboration has been hindered, not helped, by many of the government's post 9/11 policies." Overblown threat Some analysts believe that we are only marginally safer now than we were before, if at all, because the threat of terrorism was extremely low in the first place. The 9/11 attack, they say, was a statistical outlier.

#### Civil liberties control the internal link to hegemony and international stability. Prioritizing civil liberties aligns government actions with political reform thus controlling the internal link to a safe and secure state

Griswold 06 Globalization, Human Rights, and Democracy By [Daniel Griswold](https://www.cato.org/people/daniel-griswold) This article appeared in eJournal USA on August 11, 2006. Daniel Griswold is the former director of the [Herbert A. Stiefel Center for Trade Policy Studies](http://www.freetrade.org/) at the Cato Institute in Washington He holds a bachelor’s degree in journalism from the University of Wisconsin at Madison and a diploma in economics and a master’s degree in the Politics of the World Economy from the London School of Economics.

In its annual survey, released in December 2005, the human rights research organization reported that 46 percent of the world’s population now lives in countries it classifies as “Free,” where citizens “enjoy open political competition, a climate of respect for civil liberties, significant independent civic life, and independent media.” That compares to the 35 percent of mankind that enjoyed a similar level of freedom in 1973. The percentage of people in countries that are “Not Free,” where political and civil liberties are systematically oppressed, dropped during the same period from 47 percent to 36 percent. The percentage of the population in countries that are “Partly Free” has remained at 18 percent. Meanwhile, the percentage of the world’s governments that are democracies has reached 64 percent, the highest in the 33 years of Freedom House surveys. Thanks in good measure to the liberating winds of globalization, the shift of 11 percentage points of the world’s population in the past three decades from “Not Free” to “Free” means that another 650 million human beings today enjoy the kind of civil and political liberties taken for granted in such countries as the United States, Japan, and Belgium, instead of suffering under the kind of tyranny we still see in the most repressive countries. Within individual countries, economic and political freedoms also appear to be linked. A 2004 study by the Cato Institute, titled “Trading Tyranny for Freedom,” found that countries that are relatively open to the global economy are much more likely to be democracies that respect civil and political liberties than those that are relatively closed. And relatively closed countries are far more likely to deny systematically civil and political liberties than those that are open. From Economic Reform to Political Reform In the past two decades, a number of economies have followed the path of economic and trade reform leading to political reform. South Korea and Taiwan as recently as the 1980s were governed by authoritarian regimes that did not permit much open dissent. Today, after years of expanding trade and rising incomes, both are multiparty democracies with full political and civil liberties. Other countries that have most aggressively followed those twin tracks of reform include Chile, Ghana, Hungary, Mexico, Nicaragua, Paraguay, Portugal, and Tanzania. In other words, governments that grant their citizens a large measure of freedom to engage in international commerce find it increasingly difficult to deprive them of political and civil liberties, while governments that “protect” their citizens behind tariff walls and other barriers to international commerce find it much easier to deny those same liberties. Of course, the correlation between economic openness and political freedom across countries is not perfect, but the broad trends are undeniable. The application for U.S. foreign policy is that trade and development, along with its economic benefits, can prove to be powerful tools for spreading broader freedoms and democracy around the world. In mainland China, for example, economic reform and globalization give reason to hope for political reforms. After 25 years of reform and rapid growth, an expanding middle class is experiencing for the first time the independence of home ownership, travel abroad, and cooperation with others in economic enterprise free of government control. The number of telephone lines, mobile phones, and Internet users has risen exponentially in the past decade. Millions of Chinese students and tourists travel abroad each year. That can only be good news for individual freedom in China, and a growing problem for the government. Free trade and globalization can also play a role in promoting democracy and human rights in the Middle East. In a May 2003 address outlining his plan for a Middle East free trade area, President Bush said, “The Arab world has a great cultural tradition, but is largely missing out on the economic progress of our time. Across the globe, free markets and trade have helped defeat poverty, and taught men and women the habits of liberty.” Economic stagnation in the Middle East feeds terrorism, not because of poverty but because of a lack of opportunity and hope for a better future, especially among the young. Young people who cannot find meaningful work and who cannot participate in the political process are ripe pickings for religious fanatics and terrorist recruiters. Any effort to encourage greater freedom in the Middle East must include an agenda for promoting economic liberty and openness. The Future On a multilateral level, a successful agreement through the World Trade Organization (WTO) would create a more friendly climate globally for democracy and human rights. Less developed countries, by opening up their own, relatively closed markets and gaining greater access to rich-country markets, could achieve higher rates of growth and develop the expanding middle class that forms the backbone of most democracies. A successful conclusion of the WTO Doha Development Round of trade negotiations that began in 2001 would reinforce the twin trends of globalization and the spread of political and civil liberties that have marked the last 30 years. Failure would delay and frustrate progress on both fronts for millions of people. For the past three decades, globalization, human rights, and democracy have been marching forward together, haltingly, not always and everywhere in step, but in a way that unmistakably shows they are interconnected. By encouraging globalization in less developed countries, we not only help to raise growth rates and incomes, promote higher standards, and feed, clothe, and house the poor; we also spread political and civil freedoms.

## Underview

#### Additionally, prioritizing national security kills grassroots efforts to combat the root cause of security risks – this discourse outweighs

Cortright 15 (David Cortright, American scholar and peace activist, Director of Policy Studies at the Kroc Institute for International Peace Studies at the University of Notre Dame, Chair of the Board of the Fourth Freedom Forum, “Could New Laws to Fight Terrorism Actually Help Fuel It?” March 31st 2015, <https://theglobalobservatory.org/2015/03/terrorism-financing-civil-liberties/>, The Global Observatory)

A 2010 Human Rights Watch report focusing on the United Kingdom found that a “stop and search” authority granted to British police was applied disproportionately against ethnic communities, resulting in harm to perceptions of the police within Muslim communities. According to the report’s review, 3,500 police stops over a 12-month period in Hampshire in southern England failed to result in a single terrorism arrest. A scholarly study of Israeli repressive measures against Palestinian extremists similarly found punitive measures either had no effect or resulted in an increased level of terrorist violence, while conciliatory measures were associated with decreased levels of terrorism. Meanwhile, a study of Spain’s response to terrorism from Basque separatists ETA found that restrictive measures were effective in countering attacks, but only when they were combined with targeted arrests of specific terrorist suspects. Evidence for the effectiveness of restrictive financial measures is also tenuous. Governments and agencies such as the transnational Financial Action Task Force (FATF) have imposed restrictions and established standards to prevent the diversion of charitable funds for terrorist purposes. However, a World Bank report found that reliable figures on the extent of such diversion were unavailable. The study quotes a British government assessment that the scale of terrorist links to the charitable sector is “extremely small.” Terrorist groups are financed primarily through criminal activity such as money laundering and black marketeering. A recent report on ISIS indicates that the group finances its operations almost entirely through fees from illegal checkpoints, the seizure of banks, the smuggling of oil, ransom payments and human trafficking. There is no indication of substantial ISIS funding through charitable channels. Restrictive measures adopted in the name of counterterrorism can have the effect of hindering civil society efforts to overcome the conditions that give rise to terrorism. The FATF acknowledges that non-profit groups “play an important role in preventing the causes of radical ideology from taking root and are, therefore, potential allies in the fight against terrorism.” Through their work for development and conflict transformation, civil society groups often help to dry up the wells of extremism from which violence springs. Yet restrictions on charitable funding, barriers to dialogue with radicalized communities, and the weakening of human rights protections make this work more difficult, as noted in the Friend not Foe report for the Dutch development agency Cordaid.

#### Ignoring the effects of securitized discourse produces epistemological errors that cause serial policy failure

**Cheeseman and Bruce 96** [Graeme Cheeseman, Snr. Lecturer @ New South Wales, and Robert Bruce Assoc. Prof in social sciences @ Curtin univ, ’96 Discourses of Danger & Dread Frontiers, p. 5-9]

This goal is pursued in ways which are still unconventional in the intellectual milieu of international relations in Australia, even though they are gaining influence worldwide as traditional modes of theory and practice are rendered inadequate by global trends that defy comprehension, let alone policy. The inability to give meaning to global changes reflects partly the enclosed, elitist world of professional security analysts and bureaucratic experts, where entry is gained by learning and accepting to speak a particular, exclusionary language. The contributors to this book are familiar with the discourse, but accord no privileged place to its ‘knowledge form as reality’ in debates on defence and security. Indeed, they believe that debate will be furthered only through a long overdue critical re-evaluation of elite perspectives. Pluralistic, democratically-oriented perspectives on Australia’s identity are both required and essential if Australia’s thinking on defence and security is to be invigorated. This is not a conventional policy book; nor should it be, in the sense of offering policy-makers and their academic counterparts sets of neat alternative solutions, in familiar language and format, to problems they pose. This expectation is in itself a considerable part of the problem to be analysed. It is, however, a book about policy, one that questions how problems are framed by policy-makers. It challenges the proposition that irreducible bodies of real knowledge on defence and security exist independently of their ‘context in the world’, and it demonstrates how security policy is articulated authoritatively by the elite keepers of that knowledge, experts trained to recognize enduring, universal wisdom. All others, from this perspective, must accept such wisdom or remain outside the expert domain, tainted by their inability to comply with the ‘rightness’ of the official line. But it is precisely the official line, or at least its image of the world, that needs to be problematised. If the critic responds directly to the demand for policy alternatives, without addressing this image, he or she is tacitly endorsing it. Before engaging in the policy debate the critics need to reframe the basic terms of reference. This book, then, reflects and underlines the importance of Antonio Gramsci and Edward Said’s ‘critical intellectuals’.15 The demand, tacit or otherwise, that the policy-maker’s frame of reference be accepted as the only basis for discussion and analysis ignores a three thousand year old tradition commonly associated with Socrates and purportedly integral to the Western tradition of democratic dialogue. More immediately, it ignores post-seventeenth century democratic traditions which insist that a good society must have within it some way of critically assessing its knowledge and the decisions based upon that knowledge which impact upon citizens of such a society. This is a tradition with a slightly different connotation in contemporary liberal democracies which, during the Cold War, were proclaimed different and superior to the totalitarian enemy precisely because there were institutional checks and balances upon power. In short, one of the major differences between ‘open societies’ and their (closed) counterparts behind the Iron Curtain was that the former encouraged the critical testing of the knowledge and decisions of the powerful and assessing them against liberal democratic principles. The latter tolerated criticism only on rare and limited occasions. For some, this represented the triumph of rational-scientific methods of inquiry and techniques of falsification. For others, especially since positivism and rationalism have lost much of their allure, it meant that for society to become open and liberal, sectors of the population must be independent of the state and free to question its knowledge and power. Though we do not expect this position to be accepted by every reader, contributors to this book believe that critical dialogue is long overdue in Australia and needs to be listened to. For all its liberal democratic trappings, Australia’s security community continues to invoke closed monological narratives on defence and security. This book also questions the distinctions between policy practice and academic theory that inform conventional accounts of Australian security. One of its major concerns, particularly in chapters 1 and 2, is to illustrate how theory is integral to the practice of security analysis and policy prescription. The book also calls on policy-makers, academics and students of defence and security to think critically about what they are reading, writing and saying; to begin to ask, of their work and study, difficult and searching questions raised in other disciplines; to recognise, no matter how uncomfortable it feels, that what is involved in theory and practice is not the ability to identify a replacement for failed models, but a realisation that terms and concepts – state sovereignty, balance of power, security, and so on – are contested and problematic, and that the world is indeterminate, always becoming what is written about it. Critical analysis which shows how particular kinds of theoretical presumptions can effectively exclude vital areas of political life from analysis has direct practical implications for policy-makers, academics and citizens who face the daunting task of steering Australia through some potentially choppy international waters over the next few years. There is also much of interest in the chapters for those struggling to give meaning to a world where so much that has long been taken for granted now demands imaginative, incisive reappraisal. The contributors, too, have struggled to find meaning, often despairing at the terrible human costs of international violence. This is why readers will find no single, fully formed panacea for the world’s ills in general, or Australia’s security in particular. There are none. Every chapter, however, in its own way, offers something more than is found in orthodox literature, often by exposing ritualistic Cold War defence and security mind-sets that are dressed up as new thinking. Chapters 7 and 9, for example, present alternative ways of engaging in security and defence practice. Others (chapters 3, 4, 5, 6 and 8) seek to alert policy-makers, academics and students to alternative theoretical possibilities which might better serve an Australian community pursuing security and prosperity in an uncertain world. All chapters confront the policy community and its counterparts in the academy with a deep awareness of the intellectual and material constraints imposed by dominant traditions of realism, but they avoid dismissive and exclusionary terms which often in the past characterized exchanges between policy-makers and their critics. This is because, as noted earlier, attention needs to be paid to the words and the thought processes of those being criticized. A close reading of this kind draws attention to underlying assumptions, showing they need to be recognized and questioned. A sense of doubt (in place of confident certainty) is a necessary prelude to a genuine search for alternative policies. First comes an awareness of the need for new perspectives, then specific policies may follow**.** As Jim George argues in the following chapter, we need to look not so much at contending policies as they are made for us but at challenging ‘the discursive process which gives [favoured interpretations of “reality”] their meaning and which direct [Australia’s] policy/analytical/military responses’. This process is not restricted to the small, official defence and security establishment huddled around the US-Australian War Memorial in Canberra. It also encompasses much of Australia’s academic defence and security community located primarily though not exclusively within the Australian National University and the University College of the University of New South Wales. These discursive processes are examined in detail in subsequent chapters as authors attempt to make sense of a politics of exclusion and closure which exercises disciplinary power over Australia’s security community. They also question the discourse of ‘regional security’, ‘security cooperation’, ‘peacekeeping’ and ‘alliance politics’ that are central to Australia’s official and academic security agenda in the 1990s. This is seen as an important task especially when, as is revealed, the disciplines of International Relations and Strategic Studies are under challenge from critical and theoretical debates ranging across the social sciences and humanities; debates that are nowhere to be found in Australian defence and security studies. The chapters graphically illustrate how Australia’s public policies on defence and security are informed, underpinned and legitimised by a narrowly-based intellectual enterprise which draws strength from contested concepts of realism and liberalism, which in turn seek legitimacy through policy-making processes. Contributors ask whether Australia’s policy-makers and their academic advisors are unaware of broader intellectual debates, or resistant to them, or choose not to understand them, and why?

#### The security threat stems from government and media attention – if we don’t prioritize it, there won’t be a security threat – as simple as that.

Walt 13 Walt, professor of International Affairs at Harvard, 4/22/13 (Stephen M., 4/22/13, “America the skittish”)

The more I think about the events that transfixed Boston and the nation last week, the more troubled I am. Not by what it says about the dangers we face from violent extremists (aka "terrorism"), but for what it says about our collective inability to keep these dangers in perspective and to respond to them sensibly. I am beginning to wonder if our political and social system is even capable of a rational response to events of this kind.¶ Don't get me wrong: The speed with which the Tsarnaev brothers were identified was remarkable, and citizens at the scene of the bombing showed resolution and humanity in helping the victims. Here in Boston, a great many people worked with energy, courage, and effectiveness to identify and apprehend the perpetrators. And one can only feel a sense of heartache and tragedy when reading about each of the victims, senselessly murdered before their time. ¶ It's the larger response to the tragedy that worries me. Although politicians from Barack Obama to Deval Patrick offered up the usual defiant statements about America's toughness and resilience in the face of terror, the overall reaction to the attacks was anything but. Public officials shut down the entire city of Boston and several surrounding suburbs for most of the day, at an estimated cost of roughly $300 million. What did this accomplish? It showed that a 19 year-old amateur could paralyze an entire American metropolis. As numerous commentators have already pointed out, a city-wide lockdown is not what public officials have done in countless other manhunts, such as the search for rogue cop Christopher Dorner in Los Angeles. And Dorner was a former Navy reservist who had killed four people and who was at least as "armed and dangerous" as the Tsarnaevs. Ladies and gentlemen, this is not the attitude that tamed the West, stopped the Third Reich, or won the Cold War.¶ The media frenzy that accompanied these events was equally disturbing. If terrorists "want a lot of people watching," then that's precisely what the American media gave them. It is probably unrealistic to hope that today's hydra-headed and commercially voracious media would respond to an event like this with even a modicum of restraint, but the feeding frenzy that CNN, Fox, and many other outlets engaged in must have been deeply gratifying to America's enemies. Television networks have learned not to train their cameras on the lunkheads who sometimes jump out of the bleachers and race across a baseball field. In a perfect world, these same organizations would act with similar wisdom when terrorists strike. In particular they would tell the public what it needed to know for the sake of safety, but they would spare us the round-the-clock, obsessive-compulsive, and error-ridden blather that merely gives extremists the publicity they seek.¶ As Boston shut down and the world watched, fourteen Americans were killed and more than 200 were injured in a factory explosion in Texas. Those people are just as dead as the four victims in Boston, yet their story is already fading to the back pages of the major papers. Meanwhile, the Tsarnaevs remain the Big Story and got profiled on 60 Minutes last night. As I write this, the death toll from last week's earthquake in China nears 200 -- with thousands injured -- but it barely rates a passing glance. And the week before the Marathon bombing, those courageous members of our bought-and-paid-for Senate rejected the very mildest of efforts to reduce the danger from guns, even though firearms kill over 30,000 Americans every year. As Michael Cohen noted in the Guardian, we fear that which scares us, but not the things that actually threaten us. ¶ What is it about terrorism that terrorizes? Is the disproportionate attention it receives due to its seemingly random nature? The sense that it could strike any of us without warning? That explanation seems unlikely, given that other equally random dangers pose a greater risk. Is it because terrorism is the product of human volition, an explicit act of malevolence? This may have something to do with our tendency to overreact, yet other equally heinous acts don't seem to transfix society in the same way. ¶ Or was it the intrusion of an act of wanton violence into an event -- the Boston Marathon -- that is supposed to be celebratory and fun? Or do we react viscerally to terrorism because such acts force us to think -- however reluctantly -- about the rage, animosity, and alienation that others feel towards us?¶ I don't know. But I cannot help but think that our political leaders have been letting us down ever since 9/11. Instead of teaching Americans that the actual risk from terrorism was minimal, they have kept us disrobing in security lines, obsessing over every bizarre jihadi utterance, and constantly fretting about the Next Big One. An entire industry of "terrorism experts" has arisen to keep us on the edge of our seats, even though many other dangers pose a far greater risk. The result of this obsession has been catastrophic: a failed effort to nation-build in Afghanistan, a wholly misbegotten war in Iraq, and an enormous distraction from any number of other issues -- education, climate, energy, the economy -- whose mismanagement will ultimately claim far more lives and create far more immiseration than those two misguided and angry young brothers did.¶ I do not mean to trivialize what happened last week. Four innocent people died, and many more were grievously hurt. Finding the persons responsible was necessary, and I'm as happy as anyone else that they are no longer at large. But the brutal reality of human existence is that it is fragile, and there are no guarantees. Bad things do happen to good people, and it is the task of our political leaders to help us keep our heads even when awful things occur. The grossly disproportionate reaction to the Marathon attacks tells me that our political system is increasingly incapable of weighing dangers intelligently and allocating resources in a sensible manner. Unless we get better at evaluating dangers and responding to them appropriately, we are going to focus too much time and attention on a few bad things because they happen to be particularly vivid, and not enough on the problems on which many more lives ultimately depend.

#### Civil liberties allude to the ability to access free speech absent government intervention. Under a premise of democratic equality – consensus is uniquely key to guaranteeing these rights. International data proves that people want a government to prioritize civil liberties over national security

Gao 15 MAY 29, 2015 What Americans think about NSA surveillance, national security and privacy BY [GEORGE GAO](http://www.pewresearch.org/author/ggao/) <http://www.pewresearch.org/fact-tank/2015/05/29/what-americans-think-about-nsa-surveillance-national-security-and-privacy/> KE

Fourteen years after the Sept. 11 terrorist attacks, and two years after Edward Snowden’s revelations about extensive U.S. government surveillance of phone and internet data, Americans continue to have mixed – and sometimes conflicting – views about government surveillance programs. On the one hand, a majority of Americans [oppose the government collecting bulk data](http://www.people-press.org/2014/06/26/section-6-foreign-affairs-terrorism-and-privacy/#views-of-privacy-nsa-surveillance) on its citizens, and two-thirds believe [there aren’t adequate limits](http://www.pewinternet.org/2015/05/20/americans-attitudes-about-privacy-security-and-surveillance/) on what types of data can be collected. But at the same time, Americans [generally support](http://www.pewglobal.org/2014/07/14/nsa-opinion/country/united-states/) monitoring the communications activity of suspected terrorists. Here’s a rundown of what we know about attitudes toward U.S. government surveillance, at home and abroad: 1 A majority of Americans (54%) disapprove of the U.S. government’s collection of telephone and internet data as part of anti-terrorism efforts, while 42% approve of the program. Democrats are divided on the program, while Republicans and independents are more likely to disapprove than approve, [according to a survey we conducted in spring 2014](http://www.people-press.org/2014/06/26/section-6-foreign-affairs-terrorism-and-privacy/#views-of-privacy-nsa-surveillance). 2 More broadly, **most Americans don’t see a need to sacrifice civil liberties to be safe from terrorism**: In spring 2014, **74% said they should not give up privacy and freedom for the sake of safety,** while just 22% said the opposite. This view had hardened since December 2004, when 60% said they should not have to give up more privacy and freedom to be safe from terrorism. 3 While they have concerns about government surveillance, Americans also say anti-terrorism policies have not gone far enough to adequately protect them. More (49%) say this is their bigger concern than say they are concerned that policies have gone too far in restricting the average person’s civil liberties (37%), [according to a January survey](http://www.people-press.org/2015/01/12/terrorism-worries-little-changed-most-give-government-good-marks-for-reducing-threat/#views-of-governments-handling-of-terrorist-threat). While Americans held this view between 2004 and 2010, they briefly held the opposite view in July 2013, shortly after the Snowden leaks. 4 At the same time, Americans want to control their personal information, but few feel like they are able to. Most say it is important to control who can get their information (93%), as well as what information about them is collected (90%). But only 9% say they have a lot of control over how much information is collected about them, and 38% say they have some control, according to our [survey conducted August-September 2014](http://www.pewinternet.org/2015/05/20/americans-views-about-data-collection-and-security/#few-feel-they-have-a-lot-of-control-over-how-much-information-is-collected-about-them-in-daily-life). Just 6% of Americans say they are very confident that government agencies can keep their records private and secure, while 25% are somewhat confident. Similar shares express those views about their landline and cellular telephone companies. 5 Most Americans have heard about the U.S. government’s surveillance programs, and some have changed their behavior because of it. Fully 87% are aware of the federal surveillance programs; among those aware of the programs, 25% – and 22% of adults overall – say they have changed the way they use technology at least somewhat after the Snowden revelations, according to our [November 2014-January 2015 survey](http://www.pewinternet.org/2015/03/16/americans-privacy-strategies-post-snowden/#some-people-have-changed-their-behaviors-in-response-to-surveillance). Additionally, 61% of those aware of the programs say they have become less confident that the programs are serving the public interest. 6 The view from abroad is mostly one of disapproval. In most countries we surveyed in 2014, majorities opposed U.S. government monitoring of emails and phone calls of foreign leaders or their citizens. And a median of 62% [in 43 countries](http://www.pewglobal.org/2014/07/14/global-opposition-to-u-s-surveillance-and-drones-but-limited-harm-to-americas-image/) also oppose U.S. monitoring of American citizens. In contrast, [Americans tilt toward the view](http://www.pewglobal.org/2014/07/14/nsa-opinion/country/united-states/) that eavesdropping on foreign leaders is an acceptable practice, though they are divided over using this technique on average people in other countries. But six-in-ten Americans (61%) also oppose the government monitoring communications of U.S. citizens.

# 1AR Frontlines

## Extensions

## Top Level

#### Security is a civil right so you affirm on balance

Online Security and the Protection of Civil Rights: A Legal Overview Ugo Pagallo Received: 24 January 2013 / Accepted: 28 June 2013 / Published online: 17 July 2013 # Springer Science+Business Media Dordrecht 2013

After the “Security first” and “Liberty first” theses on the political foundations of legal interaction, e.g. the Hobbesian and Lockeian versions of the social covenant, the second polarization of the debate concerns the legal interaction of private actors, that is, how the protection of private (rather than public, or national) security is related to the protection of further individual rights. The opinions of the debate can be summarized with a new spectrum, at the ends of which no balance has to be struck. At one end of the spectrum, online security and civil rights pit against each other in a zero-sum game: consider the aim of private companies to protect their rights through the use of self-enforcing technologies, e.g. DRM devices. By enabling right holders to monitor and regulate the use of their copyright-protected works, companies would prevent unsolvable prob- lems concerning both the enforceability of national norms and the conflicts of law at the international level. Whilst, in his Thoughts on Music (2007), Steve Jobs conceded that DRM-compliant systems raise severe challenges of interoperability and, hence, antitrust issues, there are two further reasons why the use of DRM techniques appears particularly controversial. First, as a response to the inefficacy of state action on the internet, DRM technology risks to severely curtail individual freedom and collective autonomy, since people’s behaviour would unilaterally be determined on the basis of technology, rather than by choices of the relevant political institutions. Second, the use of self-enforcing technologies ultimately impinges on people’s right to have a say in the decisions affecting them, for a kind of infallible self-enforcement technology collapses “the public understanding of law with its application eliminating a useful interface between the law’s terms and its application” (Zittrain 2007). In a nutshell, DRMs are highly controversial from a legal viewpoint, because the aim to prevent every sort of balancing between the interest of right holders to strictly regulate the use of their own copyright- protected works and the protection of such civil rights as freedom of speech, fair use, and so forth is clear. At the other end of the spectrum, security is conceived as an individual right that is grounded, in most of the cases, on voluntary agreements between the parties to a contract. As mentioned above in the introduction, think of online bank accounts and the obligation of banks to deliver safe services. Here, the individual right to safety goes hand in hand with her security, so much so that some consider such notions as interchangeable as, for example, the US Department of Homeland Security’s website is keen to argue. Vice versa, others insist on the difference between the notions of security and safety, in that “a safety critical system is one whose failure could do us immediate, direct harm”, whereas “a security critical system is one whose failure could enable, or increase the ability of, others to harm us” (Burns et al. 1992). This differentiation between the individual right to safety and the right to individual security is fruitful, because there are several cases where security and safety have to be balanced. A typical instance is given by the processing of personal data in hospitals via information systems, whereas patient names should be kept separated from data on medical treatments or health status. Should we privilege the efficacy and reliability of that information system in keeping patient names separated from data on medical treatments or health status? How about users, including doctors, who may find such mechanism too onerous?

## DA

### Cyber

#### NSA surveillance actually decreases ability to fight cyber-attacks by decreasing the overall security of the internet.

Eduard Kovacs on July 30, 2014 NSA Surveillance Programs Directly Damage Internet Security: Report

http://www.securityweek.com/nsa-surveillance-programs-directly-damage-internet-security-report

“The NSA has both weakened overall trust in the network and directly harmed the security of the Internet.” A report published by the New America Foundation’s Open Technology Institute on Tuesday details the impact of NSA surveillance activities on the United Sates economy, foreign policy and Internet security. There have been numerous discussions on the intelligence agency's controversial spying programs over the past year, ever since former NSA contractor Edward Snowden started leaking classified information obtained from the organization's systems. However, the Open Technology Institute argues that most discussions have revolved around the impact of surveillance programs on privacy and civil liberties, and not so much on how they affect the interests of the United States and the global Internet community. The 64-page paper focuses on the costs to cybersecurity, the direct economic costs to U.S businesses, the economic and technological costs of data localization and data protection proposals, and political costs to American foreign policy. Internet Security Weakened by NSA. Internet security has been greatly impacted by NSA spying because in addition to monitoring online communications, the agency has been involved in various activities that, according to the authors of the report, "fundamentally threaten the basic security of the Internet." For example, the report points to the NSA's attempts to intentionally weaken critical cryptographic standards. One of these algorithms was until recently included in cryptographic libraries used by default by RSA and other companies. The agency is also said to be spending hundreds of millions of dollars on getting companies to intentionally create backdoors in their products, including communication devices, commercial encryption systems and IT networks. In addition to getting companies to insert security holes into their products, the NSA keeps information about zero-day vulnerabilities to itself, instead of notifying the companies whose solutions are affected. This leaves organizations and regular users exposed to attacks from the NSA, and also from other entities that might have knowledge of the flaws, the report said. The Open Technology Institute believes costs to cybersecurity also stem from the activities of the NSA's Tailored Access Operations (TAO) unit, whose employees rely on an aggressive set of tools to hack into computers, phones, routers and even SCADA systems. One of the tactics used by this unit involves targeting networks and network providers, including the undersea cables that carry Internet traffic between continents. The TAO unit is also said to have impersonated several major US companies, including Facebook and LinkedIn, in an effort to insert malware and steal sensitive information.

#### NSA surveillance undermines our ability to prevent cyber attacks

DAVID HAMILTON NOV 18, 2014 The Real Lesson From Recent Cyberattacks: Let's Break Up The NSA It's supposed to guard against cyberintrusion. Remember? http://readwrite.com/2014/11/18/hacking-cyber-attack-break-up-the-nsa

Over the weekend, the U.S. State Department shut down its unclassified email network after finding evidence that hackers might have been prowling around. It's in good company: In the past several weeks, hackers have poked around in computers at the White House, the Postal Service and the National Weather Service—not to mention JPMorgan and nine other big banks. If only there was a federal agency dedicated to protecting federal information systems and critical U.S. infrastructure from criminals and foreign attackers. Oh, wait—there is. It's the National Security Agency. And to all appearances, it's botched the job so badly you'd think it wasn't really trying in the first place. Maybe it wasn't. The NSA has historically been a house divided against itself. On one side, it ostensibly works to "ensure appropriate security solutions are in place to protect and defend information systems, as well as our nation’s critical infrastructure." This mission, the NSA says, aims to ensure "confidence in cyberspace." Then there's the other side of the NSA, which listens in on the communications of U.S. adversaries, conducts mass surveillance of Americans and foreigners and undertakes military-style cyber attacks against other nations and alleged terrorists. Oh, and that also deliberately tries to undermine security tools used to guard both civilian and and government systems against intrusion. For instance, the NSA's secret 2013 budget request—provided by Edward Snowden and published by the New York Times, ProPublica and other outlets a year ago—revealed that the agency seeks to "introduce vulnerabilities into commercial encryption systems, IT systems, networks, and endpoint communication devices used by targets." In other words, the NSA routinely undermines the security tools that government agencies, businesses and consumer services use to protect messages and data from attackers. It's a little as if car makers were surreptitiously making it easier for repo men to unlock and drive away your vehicle—right in the midst of an auto-theft epidemic. The NSA apparently does this in the misguided belief that its own spooks will be the only ones to notice and exploit these vulnerabilities. But criminals and foreign governments are smart, too, and just as eager to exploit security holes created by accident or design. In 2010, for instance, Chinese hackers were able to break into individual Gmail accounts by using "secret" backdoors that Google had installed specifically to comply with U.S. government search-warrant requests.

#### Cyber threats are exaggerated hype – alarmist rhetoric and won’t escalate

Thomas Rid, 2012 reader in war studies at King's College London, is author of "Cyber War Will Not Take Place" and co-author of "Cyber-Weapons.", March/April 2012, “Think Again: Cyberwar”, http://www.foreignpolicy.com/articles/2012/02/27/cyberwar?page=full

"Cyberwar Is Already Upon Us." No way. "Cyberwar is coming!" John Arquilla and David Ronfeldt predicted in a celebrated Rand paper back in 1993. Since then, it seems to have arrived -- at least by the account of the U.S. military establishment, which is busy competing over who should get what share of the fight. Cyberspace is "a domain in which the Air Force flies and fights," Air Force Secretary Michael Wynne claimed in 2006. By 2012, William J. Lynn III, the deputy defense secretary at the time, was writing that cyberwar is "just as critical to military operations as land, sea, air, and space." In January, the Defense Department vowed to equip the U.S. armed forces for "conducting a combined arms campaign across all domains -- land, air, maritime, space, and cyberspace." Meanwhile, growing piles of books and articles explore the threats of cyberwarfare, cyberterrorism, and how to survive them. Time for a reality check: Cyberwar is still more hype than hazard. Consider the definition of an act of war: It has to be potentially violent, it has to be purposeful, and it has to be political. The cyberattacks we've seen so far, from Estonia to the Stuxnet virus, simply don't meet these criteria. Take the dubious story of a Soviet pipeline explosion back in 1982, much cited by cyberwar's true believers as the most destructive cyberattack ever. The account goes like this: In June 1982, a Siberian pipeline that the CIA had virtually booby-trapped with a so-called "logic bomb" exploded in a monumental fireball that could be seen from space. The U.S. Air Force estimated the explosion at 3 kilotons, equivalent to a small nuclear device. Targeting a Soviet pipeline linking gas fields in Siberia to European markets, the operation sabotaged the pipeline's control systems with software from a Canadian firm that the CIA had doctored with malicious code. No one died, according to Thomas Reed, a U.S. National Security Council aide at the time who revealed the incident in his 2004 book, At the Abyss; the only harm came to the Soviet economy. But did it really happen? After Reed's account came out, Vasily Pchelintsev, a former KGB head of the Tyumen region, where the alleged explosion supposedly took place, denied the story. There are also no media reports from 1982 that confirm such an explosion, though accidents and pipeline explosions in the Soviet Union were regularly reported in the early 1980s. Something likely did happen, but Reed's book is the only public mention of the incident and his account relied on a single document. Even after the CIA declassified a redacted version of Reed's source, a note on the so-called Farewell Dossier that describes the effort to provide the Soviet Union with defective technology, the agency did not confirm that such an explosion occurred. The available evidence on the Siberian pipeline blast is so thin that it shouldn't be counted as a proven case of a successful cyberattack. Most other commonly cited cases of cyberwar are even less remarkable. Take the attacks on Estonia in April 2007, which came in response to the controversial relocation of a Soviet war memorial, the Bronze Soldier. The well-wired country found itself at the receiving end of a massive distributed denial-of-service attack that emanated from up to 85,000 hijacked computers and lasted three weeks. The attacks reached a peak on May 9, when 58 Estonian websites were attacked at once and the online services of Estonia's largest bank were taken down. "What's the difference between a blockade of harbors or airports of sovereign states and the blockade of government institutions and newspaper websites?" asked Estonian Prime Minister Andrus Ansip. Despite his analogies, the attack was no act of war. It was certainly a nuisance and an emotional strike on the country, but the bank's actual network was not even penetrated; it went down for 90 minutes one day and two hours the next. The attack was not violent, it wasn't purposefully aimed at changing Estonia's behavior, and no political entity took credit for it. The same is true for the vast majority of cyberattacks on record. Indeed, there is no known cyberattack that has caused the loss of human life. No cyberoffense has ever injured a person or damaged a building. And if an act is not at least potentially violent, it's not an act of war. Separating war from physical violence makes it a metaphorical notion; it would mean that there is no way to distinguish between World War II, say, and the "wars" on obesity and cancer. Yet those ailments, unlike past examples of cyber "war," actually do kill people. "A Digital Pearl Harbor Is Only a Matter of Time." Keep waiting. U.S. Defense Secretary Leon Panetta delivered a stark warning last summer: "We could face a cyberattack that could be the equivalent of Pearl Harbor." Such alarmist predictions have been ricocheting inside the Beltway for the past two decades, and some scaremongers have even upped the ante by raising the alarm about a cyber 9/11. In his 2010 book, Cyber War, former White House counterterrorism czar Richard Clarke invokes the specter of nationwide power blackouts, planes falling out of the sky, trains derailing, refineries burning, pipelines exploding, poisonous gas clouds wafting, and satellites spinning out of orbit -- events that would make the 2001 attacks pale in comparison. But the empirical record is less hair-raising, even by the standards of the most drastic example available. Gen. Keith Alexander, head of U.S. Cyber Command (established in 2010 and now boasting a budget of more than $3 billion), shared his worst fears in an April 2011 speech at the University of Rhode Island: "What I'm concerned about are destructive attacks," Alexander said, "those that are coming." He then invoked a remarkable accident at Russia's Sayano-Shushenskaya hydroelectric plant to highlight the kind of damage a cyberattack might be able to cause. Shortly after midnight on Aug. 17, 2009, a 900-ton turbine was ripped out of its seat by a so-called "water hammer," a sudden surge in water pressure that then caused a transformer explosion. The turbine's unusually high vibrations had worn down the bolts that kept its cover in place, and an offline sensor failed to detect the malfunction. Seventy-five people died in the accident, energy prices in Russia rose, and rebuilding the plant is slated to cost $1.3 billion. Tough luck for the Russians, but here's what the head of Cyber Command didn't say: The ill-fated turbine had been malfunctioning for some time, and the plant's management was notoriously poor. On top of that, the key event that ultimately triggered the catastrophe seems to have been a fire at Bratsk power station, about 500 miles away. Because the energy supply from Bratsk dropped, authorities remotely increased the burden on the Sayano-Shushenskaya plant. The sudden spike overwhelmed the turbine, which was two months shy of reaching the end of its 30-year life cycle, sparking the catastrophe. If anything, the Sayano-Shushenskaya incident highlights how difficult a devastating attack would be to mount. The plant's washout was an accident at the end of a complicated and unique chain of events. Anticipating such vulnerabilities in advance is extraordinarily difficult even for insiders; creating comparable coincidences from cyberspace would be a daunting challenge at best for outsiders. If this is the most drastic incident Cyber Command can conjure up, perhaps it's time for everyone to take a deep breath. "Cyberattacks Are Becoming Easier." Just the opposite. U.S. Director of National Intelligence James R. Clapper warned last year that the volume of malicious software on American networks had more than tripled since 2009 and that more than 60,000 pieces of malware are now discovered every day. The United States, he said, is undergoing "a phenomenon known as 'convergence,' which amplifies the opportunity for disruptive cyberattacks, including against physical infrastructures." ("Digital convergence" is a snazzy term for a simple thing: more and more devices able to talk to each other, and formerly separate industries and activities able to work together.) Just because there's more malware, however, doesn't mean that attacks are becoming easier. In fact, potentially damaging or life-threatening cyberattacks should be more difficult to pull off. Why? Sensitive systems generally have built-in redundancy and safety systems, meaning an attacker's likely objective will not be to shut down a system, since merely forcing the shutdown of one control system, say a power plant, could trigger a backup and cause operators to start looking for the bug. To work as an effective weapon, malware would have to influence an active process -- but not bring it to a screeching halt. If the malicious activity extends over a lengthy period, it has to remain stealthy. That's a more difficult trick than hitting the virtual off-button. Take Stuxnet, the worm that sabotaged Iran's nuclear program in 2010. It didn't just crudely shut down the centrifuges at the Natanz nuclear facility; rather, the worm subtly manipulated the system. Stuxnet stealthily infiltrated the plant's networks, then hopped onto the protected control systems, intercepted input values from sensors, recorded these data, and then provided the legitimate controller code with pre-recorded fake input signals, according to researchers who have studied the worm. Its objective was not just to fool operators in a control room, but also to circumvent digital safety and monitoring systems so it could secretly manipulate the actual processes. Building and deploying Stuxnet required extremely detailed intelligence about the systems it was supposed to compromise, and the same will be true for other dangerous cyberweapons. Yes, "convergence," standardization, and sloppy defense of control-systems software could increase the risk of generic attacks, but the same trend has also caused defenses against the most coveted targets to improve steadily and has made reprogramming highly specific installations on legacy systems more complex, not less.

# Extras

#### The US’s national security regime is ontologically fixed on interventionism—international laws/norms are a subjective way to include or exclude identities it has deemed out of line with American values.

**Turner 16.** (Oliver, Hallsworth Research Fellow of Political Economy @ University of Manchester. “China, India and the US Rebalance to the Asia Pacific: The Geopolitics of Rising Identities,” Geopolitics. June 1, 2016. Accessed via Taylor & Francis Online.)//CB

For instance, Clinton asserts that “by virtue of our unique geography, the United States is both an Atlantic and a Pacific power”.55 Yet there is nothing unique about US geography in this regard, since Canada, Mexico, Colombia and others also border both oceans. US geography remains political geogra- phy and inextricable from the exertion of power as its unspectacular physical contours (in this sense at least) are bestowed exceptional qualities which reinforce established notions of America’s internationalist duties. Essentially unquestioned, Clinton’s fantasised reality is apparent common sense and unproblematic. So is the ‘fact’ that US duties, necessitated by its ‘universal’ values, legitimately extend to wherever it chooses. Statements on the rebalance purposefully present the US as a ‘Pacific Power’ (or ‘nation’), but this is not merely descriptive. It is an inherently performative call to action, turning foreign problems into domestic problems by helping to ensure that the United States acts in distant Asia as naturally as Vietnam, the Philippines, and, most importantly, China. This shows that the subject positioning between the US and China (or any other) is not performed only or even primarily at the level of relative capabilities. Scholars are right to identify the rise of China as a key motivating force behind American regional policy. But the imaginative geography of rising China means something to the American self which, notably, rising India (the next most frequently appearing actor in the statements) does not, and vice versa. Each relationship is defined by powerful presuppositions. US officials (in nine out of fifteen statements) stress that Washington is com- mitted to working with China, and (in four out of fifteen) that China’s rise is welcomed. As Secretary of Defense Ash Carter states, “I reject the zero-sum thinking that China’s gain is our loss”.56 Indeed, while punctuated by sites of tension contemporary US-China relations are broadly productive and cooperative. Yet just as Native Americans were both a prominent construct of ￼European-American identity and essential to its affirmation, the Chinese Other does much to necessitate the presence of the fantasised American self in Asia. Statements on the rebalance do not hide this contemporised geo-graphing of the region and its actors. Indeed, they are continually set within the context of “differences” between the US and China. “We have some funda- mental differences that cannot be minimized”, observes National Security Advisor Susan E. Rice.57 Secretary of State John Kerry notes that US China policy is built on coordinating interests and managing differences, about which Washington is “clear-eyed”.58 While these differences are rarely spelt out, to the democratic United States China’s communist structures imbue its modern-day rise with ominous connotations.59 Ontological difference still primes the US to the possibility of aggression60 but, to return to an earlier point, identities cannot be essentialised as definitively knowable, as the case of ‘free’ yet authoritarian Cold War Taiwan demonstrates. What matters is not so much Chinese communism as the understanding that Chinese communism challenges the anti-communist American self.61 To view India as a strategic counterbalance to a more materially powerful China would again not necessarily be incorrect, but incomplete nonetheless. A third of statements emphasise India’s democratic credentials which, in an identical but contrary manner to China, enables American identity and invigorates the US in the Asia Pacific. As Clinton explains, India complements rather than contradicts American values: “The Obama administration has expanded our bilateral partnership... and outlined a new vision for a more economically integrated and politically stable South and Central Asia, with India as a linchpin”.62 Kerry remarks: “The United States and China. . . have different political systems, different histories, different cultures, and. . . different views on certain significant issues”.63 By most measures each of these also applies to the US and India. Yet here the focus is on closer ties “rooted in common values and interests”.64 India’s rise is not simply less dramatic and quantitatively different to China’s; in American imaginations it is qualitatively so. Naturalised discourses of the United States and its place in the world ensure that US power remains contingent upon understandings of who to invade, contain and pacify and who not. Support for India’s growth is essentially unconditional, with assessments of its rise rarely qualified. “The United States and the world benefit from a stable and prosperous China”, Kerry argues, but only a China “that assumes the responsibilities of a great power... respects the will of its people [and]... plays by the rules”.65 The insistence that China plays by international rules appears in six statements, and in twelve statements those rules, and the fairness they promote, are identified as protectorates of the United States. Satake and Ishirara argue that articulations of the rebalance are framed by the need for transparency from Beijing, the challenges posed by China’s military, and the demand that it abides by international rules.66 Yet those rules are not simply ‘there’ to be followed. In a sense they do not even exist, at least in the form typically assumed. In six statements it is argued that China requires discipline or guidance over human rights, for example – another caveat tied to acceptance of its rise. Yet no state upholds human rights to their fullest and a quarter of the Indian population is designated Scheduled Castes or Tribes.67 These “broken people” suffer abuse, discrimi- nation and a form of apartheid unresolved by failed legislation.68 India also has the highest number of child labourers in the world.69 Spacialising the world in this way encapsulates the continuing “struggle between centralizing states and authoritative centers, on the one hand, and rebellious margins and dissident cultures, on the other”70. When China is specifically singled out as a beneficiary of “the open and rules-based system that the United States helped to build and works to sustain”,71 the responsibility falls on Beijing alone to behave or risk disciplinary measures for appearing rebellious or, in modern parlance, ‘revisionist’. As such, the US is concerned that China abides by international rules, but those rules are imaginary constructs made significant or not, and judged to have been complied with or not, according to the mechanics of presupposition and subject positioning. Rather than from statutes of law, in large part they emerge from ontological differentiation.

#### The Negs rhetoric plays into a racist tradition of scapegoating—the impact is endless war

Denike, 15—Dalhousie University (Margaret, “Scapegoat racism and the sacrificial politics of “security””, Journal of International Political Theory 2015, Vol. 11(1) 111–127, dml)

A sacrificial logic has been repeatedly expressed to the point of being rather commonplace in the hype of the so-called “war on terror” and its endless reverberations in the security-focused policies of the past decade, and in the rising tides of Islamophobic sentiment that have swept through communities and launched organizations such as Jihad Watch,3 mandated to expose and eradicate the imposition of “jihad theology and ideology” in “Western societies.” In the United States, it has inspired initiatives such as the “Save our State” legislation passed with overwhelmingly popular vote by the Oklahoma State legislature in 2010, prohibiting courts from considering Islamic Shari’a law when deciding a case (Ballou, 2012).4 Being against Islam, as such, or refusing any legislative or institutional recognition is the only condition of membership in such catastrophizing communities, physically, virtually, and otherwise. Such environments feature scapegoating as a daily affair, expressed in what Girard might consider to be its “ancient” sense: operating at the imposed borders and margins of the community, quite literally as a “casting out” (Razack, 2008) of those who are deemed “non-citizens” for whatever reason. Expelled, if not consigned to “the camp” (Razack, 2008: 7), the mythic figure carries with it the fears and anxieties of communities caught up in cycles of vengeance and in the desire to define itself against those others on the right side of a vindictive justice. As Sherene Razack (2008) observes, when critical political theorists speak of significance of “the camp” in an endless war on terror, “it is in order to note the sheer numbers of people exiled from political community, their status as non-persons, and the fact that their eviction from political community is a legally authorized one” (p. 12).

Since 9/11 in particular, domestic and international imperialist politics have firmly fastened onto fear as an apparatus of social and public control, using the specter of terrorism as a proxy for public danger and social insecurity. The threat of terrorism— imagined or otherwise—has been ascribed stereotypical cultural, political and religious attributes, which for this generation, at least, is that of the presumptively Middle Eastern “Islamic fundamentalist,” the popular making of which has furnished a (re)newed archetype and related symbol to carry the fears and anxieties of countless communities within security states such as Canada, the United States, the United Kingdom and Australia. Such figures make regular appearances in the contexts of media, public education, marketing initiatives, and political campaigns, invariably to their own benefit and to that of burgeoning “security industries” and private military contactors, worldwide. Through these apparatuses, the scapegoating mechanism is fully imbricated in the productive racial formations that have constituted the “Muslim-looking” subject as an identity in its own right (Cashin, 2010; Volpp, 2002), part of which includes its status as an “archetypal enemy” (Razack, 2008: 12), readily resorting to terror, and publicly justifiably profiled, preventatively detained or deported. Although this refocused racism has notably different expressions than those used to justify the slavery of African detainees two centuries ago, it nonetheless shares with these earlier formations its related incentives: they are both lucratively yoked to the global economies of modern imperialism, and they remain a condition of empire’s international corporate/militaristic flourishing.

Sherene Razack (2008) discusses at length how the new juridical formation of what Antonio Negri and Michael Hardt call today’s Empire5 formulates the haunting figure of the terrorist as the “new enemy” (p. 12). Fueled by the passions of “just wars” and enabled by the “exceptionalism” that unilaterally extends executive and police powers, as they do security measures around border control, the “logic of the exception” sustains a racial order through legislated practices of exclusion, disposal, and consignment to “the camp” (Agamben, 2005: 2; Razack, 2008: 12–13). As Razack suggests, in line with Hardt and Negri (2000: 13–16), this logic gives content to racial difference, marking those who are expendable, deportable, and justifiably detainable as a function of a neoliberal ordering that, at a “banal” level, empowers police to act against enemy everywhere, while at another empowers the nation against “an archetypal enemy who poses an absolute threat,” justifying permanent states of emergency and endless war.

#### Macropolitical attempts to stop climate change and the institution of diplomacy itself are failing --- try-or-die using our scholarship to demand more radical changes

**Burke et al 16** [Anthony Burke, Audra Mitchell, Balsillie School of International Affairs/Wilfrid Laurier University, Canada, Simon Dalby, Balsillie School of International Affairs/Wilfrid Laurier University, Canada, Daniel J. Levine, University of Alabama, USA, Stefanie Fishel, The Department of Gender and Race Studies, University of Alabama, “Planet Politics: A Manifesto from the End of IR,” Millennium - Journal of International Studies June 2016 vol. 44 no. 3 499-523]

Arresting dangerous climate change, stemming species extinctions, decarbonising our civilisation: this must be a common political project if life on this planet is to survive. However, such a project will necessarily involve agonism and conflict; it will be achieved through both new forms of cooperation and ongoing contestation, through a ‘cosmopolitics’ that admits (many different) humans, nonhumans and things, present, absent, living, inorganic, powerful and less powerful, by making politics receptive to the disturbances they create. It will involve amplifying marginalised voices and creating new forms of solidarity and governance to confront the dystopian power of big energy, big farming, big finance, and fossil fuel capitalism. Planet Politics must be simultaneously a practice of governance and of subversion, of regulation and resistance, at multiple scales and locales. Indeed as resistance it is already underway, but as governance it is struggling to be born. Planet Politics must be very different from the elitist and state-centric global governance that is today’s handmaiden of extinction. 3. Diplomacy, as an institution, is failing Long ago, Hedley Bull argued that Diplomacy was one of the five key ‘institutions’ of international society, alongside International Law, Great Powers, the Balance of Power, and War.29 Diplomacy is carried out by official representatives of states and transnational institutions also created by states. Corporations have lobbied, bought, and bribed themselves into the game. Everyone else is an NGO, or worse, a person, a nothing. And non-human species, oceans, ecosystems – the very living complexity of the planet – have no status at all. Bull’s ‘institutions’ are the action-actor-artifacts of contemporary international society, the subjects and objects that we abjectly depend on to solve the planet’s problems. Below we speak of what must change in international law; how is diplomacy contributing to acknowledging and addressing the gravity of the imminent ecological collapse? Diplomacy has provided the United Nations Framework Convention (UNFCCC) and the Kyoto Protocol on climate change. These are international society’s sole treaty bulwark against the sixth extinction and a potential future of unchecked climate change that the International Institute of Strategic Studies asserted would be ‘catastrophic – on the level of nuclear war’.30 Negotiated in 1997 but not in force until 2005, Kyoto was originally a modest commitment by a small group of countries to cut emissions over four years; it has since been extended to the end of 2020 – just five years away – and has achieved cuts of 29% below business as usual. Yet global emissions as a whole soared by 40% to 2009 and have risen to historically unprecedented levels since. Current emissions trends are tracking towards an average warming of 3.7-5.5°C over pre-industrial levels. If the earth warms 3 degrees, the Arctic ice sheet will melt, triggering a rise in sea levels of 7 metres.31 Leading climate scientists are also warning that international society’s assumed ceiling for emissions and ‘dangerous’ climate change (~1000 gigatonnes of carbon (GtC) or 2°C) will, in fact, ‘spur “slow” feedbacks and eventual warming of 3–4°C with disastrous consequences’. Instead we must limit atmospheric greenhouse gases to ~500 GtC or 350 ppm of CO2 – which means dramatically reducing existing concentrations rather than continuing to emit more, given that measurements of over 400 ppm were recorded in 2015.32 The United Nations Framework Convention on Climate Change (UNFCCC) is reviewing the 2 degree target, but this process remains bogged down in political maneuvering.33 Indeed the miraculous appearance of the ‘safe space’ target of 1-1.5 degrees in the preamble to the 2015 Paris agreement – albeit in a way that is nonbinding and subject to further investigation by the IPCC – exemplifies the profound tensions between the needs of the planet and our global diplomatic mechanisms.34 The 1.5 degree target appeared in the agreement due to the combined pressure of scientists, global civil society, and climate-vulnerable states. Yet it is still not a formal goal, and we fear it may never become one. Furthermore, even the text of the Paris agreement notes that the ‘nationally determined contributions’ volunteered by states will fail to keep global warming within 2 degrees let alone 1.5.35 In short, nearly two decades after Kyoto, states have yet to agree to binding emissions reductions that will prevent dangerous climatic change according to the best contemporary advice of earth system scientists. Objects in this mirror are closer than they appear. We can acknowledge the diplomatic achievement of France, the United States and China in preventing the Paris meeting from being a complete failure, and for opening a door to more stringent action in the future.36 At the same time, the UN-based system has presided over an alarming increase in emissions in the three decades since the gravity of the climate crisis was comprehensively identified; emissions that may lock in devastating changes to the biosphere that will be difficult to avoid. This system is still based on consensus and delay, allowing spoilers enormous influence; it still keeps the voices of scientists, civil society and indigenous peoples on the margins; it fails to integrate environmental, security and economic governance, or harmonise them in normative terms; and it has no effective mechanisms to admit the claims of the nonhuman. And beyond the problem of climate, a coordinated, accountable, and democratic global machinery to protect crucial ecosystems, restore oceans, end deforestation, and ensure breathable air remains far off – fractured between states, corporate lobbies, and weak and fragmented international organisations kept separate from the ‘real business’ of global economic and security governance.37 Policy elites still talk and think as if their agency matters and is morally unproblematic; as if, clad in the armature of the state and striding purposefully though his own institutions, Cartesian ‘Man’ can continue to dictate to the planet. This attitude was exemplified by comments by the Indian environment minister after the 2014 Lima Accord,38 who argued for the Paris agreement to provide developing countries ‘equitable carbon space to achieve sustainable development’39 – as if the atmosphere can be divided up according to the principles of state sovereignty, as if there is any atmospheric space left. The biosphere cannot be traded, divided or bargained away. It is not a product, nor a monetary or diplomatic artifact, amenable to state compromises and quantification. When earth system scientists are warning that the safe limit for atmospheric carbon concentrations is 50 ppm less than current levels, the continued commitment of the UNFCCC to market mechanisms is fetishistic and bizarre. When there can be no emissions to trade, there can be no global emissions trading system. While it is possible to count tonnes of emissions and parts per million of CO2, it is not possible to count non-linear events and unpredictable feedbacks, and the cascading ecosystem and social damage that will ensue. The true moral disaster of extinction cannot be measured in numbers of species lost and billions of animal dead, but in the irreversible devastation to worlds that it represents. In the near term, we will have to work with flawed institutions, but the gravity of this crisis means that it is right to demand more profound and systemic change, and to explore, in politics and in scholarship, what that change should be. Diplomacy will remain in some form a part of global solutions, but as an established institution it is failing us because the crisis we face demands fundamental change in the underlying system and its commitments, of which diplomacy is an epiphenomenon. Diplomacy is the visible hands of a watch running down, when what must be done is not merely expose its interior workings, but to re-imagine our entire structure of social-political time. This time is both much longer than our contemporary horizons, taking in hundreds and thousands of years, and much shorter, requiring ameliorative action that should have begun yesterday. The planet’s watch is ticking ever louder, and too many diplomats and statesmen seem deaf to it; deaf to the running down of the world and the voices of those most affected by melting glaciers, rising waters, and drying continents.

#### The ontology of security creates a reinforcing cycle of insecure anticipation and violent action – calculative ordering is the root cause of extinction threats

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My argument here, whilst normatively sympathetic to Kant's moral demand for the eventual abolition of war, militates against excessive optimism.86 Even as I am arguing that war is not an enduring historical or anthropological feature, or a neutral and rational instrument of policy -- that it is rather the product of **hegemonic forms of knowledge** about political action and community -- my analysis does suggest some sobering conclusions about its power as an idea and formation. Neither the progressive flow of history nor the pacific tendencies of an international society of republican states will save us. The violent ontologies I have described here in fact dominate the conceptual and policy frameworks of modern republican states and have come, against everything Kant hoped for, to stand in for progress, modernity and reason. Indeed what Heidegger argues, I think with some credibility, is that the enframing world view has come to stand in for being itself. Enframing, argues Heidegger, 'does not simply endanger man in his relationship to himself and to everything that is...it **drives out every other possibility of revealing**...the rule of Enframing threatens man with the possibility that it could be denied to him to enter into a more original revealing and hence to experience the call of a more primal truth.'87 What I take from Heidegger's argument -- one that I have sought to extend by analysing the militaristic power of modern ontologies of political existence and security -- is a view that the challenge is posed not merely by a few varieties of weapon, government, technology or policy, but **by an overarching system of thinking and understanding that lays claim to our entire space of truth and existence**. Many of the most destructive features of contemporary modernity -- militarism, repression, coercive diplomacy, covert intervention, geopolitics, economic exploitation and ecological destruction -- derive not merely from particular choices by policymakers based on their particular interests, but from **calculative, 'empirical' discourses of** scientific and political **truth** rooted in powerful enlightenment images of being.Confined within such an epistemological and cultural universe, **policymakers' choices become necessities, their actions become inevitabilities, and humans suffer and die**. Viewed in this light, 'rationality' is the name we give the chain of reasoning which builds one structure of truth on another until a course of action, however violent or dangerous, becomes preordained through that reasoning's very operation and existence. It creates both discursive constraints -- **available choices may simply not be seen as credible or legitimate** -- and material constraints that derive from the mutually reinforcing cascade of discourses and events which then **preordain militarism and violence as necessary policy responses**, however ineffective, dysfunctional or chaotic.